

Issued by the
UNITED STATES DISTRICT COURT

Northern

DISTRICT OF

Ohio

Jane Doe, et al.,

V.

Dean Boland

SUBPOENA IN A CIVIL CASECase Number:¹ 1:07-CV-2787

TO: Tom Boeing, Exhibit Clerk, Court Reporter's Office
 Hamilton County Court of Common Pleas
 Hamilton County Courthouse, 1000 Main Street
 Cincinnati, Ohio 45202

- ☐ YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

- ☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION

DATE AND TIME

- ☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

True and Accurate copies of any images offered by the defense or testified to by Dean Boland at trial or during any hearing in the Case of State v. Huffman, Case No. B-0401503

PLACE

Law Office of Jonathan E. Rosenbaum, 230 Third Street, Suite 104, Elyria, Ohio
 Your duty to appear will be relieved upon furnishing the images before 7-29-08

DATE AND TIME

7/28/2008 9:00 am

- ☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES

DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)

DATE

7/17/2008

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Jonathan E. Rosenbaum, 230 Third Street, Suite 104 Elyria, Ohio 44035 440-322-7972
 Attorney for Plaintiffs

(See Rule 45, Federal Rules of Civil Procedure, Subdivisions (c), (d), and (e), on next page)

¹ If action is pending in district other than district of issuance, state district under case number.

PROOF OF SERVICE

DATE

PLACE

SERVED Tom Boeing

Certified Mail

SERVED ON (PRINT NAME)

MANNER OF SERVICE

Jonathan Rosenbaum

Attorney

SERVED BY (PRINT NAME)

TITLE

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

7/23/08
DATE

SIGNATURE OF SERVER

ADDRESS OF SERVER

[Signature]
230 3rd St #104
Elwood Ohio 44035

Rule 45, Federal Rules of Civil Procedure, Subdivisions (c), (d), and (e), as amended on December 1, 2006:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court, on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2) (A) A person commencing the production of designated electronic things, or inspection of premises, shall not be entitled to inspect, copy, test, or use the information in the form or format in which it is produced, unless the court orders otherwise.

(B) Subject to paragraph (A), a party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court, on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(C) A subpoena that requires a person to appear in person at a trial, hearing, or deposition, or to produce documents or tangible things, or to produce electronically stored information in a form or format that is reasonably accessible because it was produced by or for the person or from whom the person is subpoenaed, shall be served on the person at least 14 days before the time specified for compliance, unless the court orders otherwise.

(D) A subpoena that requires a person to appear in person at a trial, hearing, or deposition, or to produce documents or tangible things, or to produce electronically stored information in a form or format that is reasonably accessible because it was produced by or for the person or from whom the person is subpoenaed, shall be served on the person at least 14 days before the time specified for compliance, unless the court orders otherwise.

(E) A subpoena that requires a person to appear in person at a trial, hearing, or deposition, or to produce documents or tangible things, or to produce electronically stored information in a form or format that is reasonably accessible because it was produced by or for the person or from whom the person is subpoenaed, shall be served on the person at least 14 days before the time specified for compliance, unless the court orders otherwise.

to or affected by the subpoena, quash or modify the subpoena or, if the party, in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature <u>[Signature]</u> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) _____ C. Date of Delivery _____</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>E. Enter delivery address below: _____</p> <p>F. Service Type: <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Registered <input type="checkbox"/> Insured Mail <input type="checkbox"/> Express Mail <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> C.O.D.</p> <p>G. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>1. Article Addressed to:</p> <p>Tom Boeing, Exhibit Clerk Court Reporter's Office Hamilton County Courthouse 1000 Main Street Cincinnati, Ohio 45202</p>		<p>2. Article Number (Transfer from service label) <u>7007 2680 0001 9462 1919</u></p>	

MAILED JUL 21 2008

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

(e) CONTEMPT. Failure of any person without adequate excuse to obey a subpoena served upon that person may be deemed a contempt of the court from which the subpoena issued. An adequate cause for failure to obey exists when a subpoena purports to require a nonparty to attend or produce at a place not within the limits provided by clause (ii) of subparagraph (c)(3)(A).